

In The Court of the VI Additional Sessions Judge
Madurai

Present: Thiru.T.Sambath Kumar Bsc., LLB
VI Additional Session Judge

Dated: 19.06.2020

CrI.M.P.No: 632/2020

in Cr.No. 89/2017 of

Jaihindpuram P.S.

(S.C.351/2018)

Kesavan, Aged 29/20, (A2)
S/o.Pitchaimani,
Jaihindpuram,
Madurai.

:Petitioner

.. Vs..

State represented by Sub Inspector of Police
Jaihindpuram, Crime no: 89/2017

:Respondent

Petition filed u/s 439 Crpc. for bail.

This petition coming on for hearing on today in the presence of Advocate Thiru.V.Murugan for the petitioner and the learned Additional Public Prosecutor for the respondent and having stood over for consideration this court delivered the following.

ORDER

Petitioner is the accused has filed this petition for bail. The counsel for the petitioner submitted that the petitioner has charged for the offences U/s.25(1) Arms Act, 147,148,341,302 and 506(ii) IPC, and this court issue NBW and in execution of NBW the petitioner is custody from 10.10.2019 and the mother of the petitioner is suffering from illness and admitted in the hospital and the petitioner/accused is innocent and he has not committed any offence as alleged and the petitioner will not make any inducement, threat, promise to any witness and petitioner/accused is ready and willing to offer substantial sureties for his due appearance and prayed for releasing the petitioner on bail.

In reply the learned Public Prosecutor has strongly objected to release the petitioner on bail as the petitioner has already been granted bail and since he did not appear before the court regular NBW was issued and in execution of NBW he has been remanded to judicial custody and as many as 6 previous cases are pending against him and if the petitioner is released on bail he will evade the process of the

court and tamper with the evidence and prayed for dismissing the petition however he has no objection grant interim bail to the petitioner.

Case records perused. Case has been registered under section U/s.25(1) Arms Act, 147,148,341,302 and 506(ii) IPC, Date of occurrence is 24.01.2017. The petitioner has already been granted bail and since he did not attend the court NBW was issue and has been arrested on 10.10.2019 in execution of NBW and is in Judicial custody since then. It is the case of the prosecution that the petitioner along with other accused committed murder of one Karthik @ Anna Karthik. Now the entire country is under the threat of Covid-19 virus outbreak and under lock down. Therefore the safety of every individual is paramount and therefore keeping the petitioners in the jail during lock down is not safe. Already co-accused have been released on interim bail. Therefore considering the extraordinary circumstances this court is of the view that the petitioner can be released on interim bail. Hence considering the facts and circumstances, this court inclined to grant interim bail to the petitioner till 08.09.2020 and accordingly the petitioner is ordered to be released on interim bail on his executing a bond for a sum of Rs.10,000/- before the Jail superintendant concerned and the petitioner is directed to surrender before this court on 09.09.2020. Accordingly this petition is ordered.

Pronounced by me in open court on this 19th day of June – 2020.

Sd/- T.Sampath Kumar
VI Additional Sessions Judge,
Madurai

Copy to :

The Petitioner through counsel
The Addl. Public Prosecutor, Madurai
The S.I. of Police Jaihindpuram, Madurai
The Superintendent, Sub Jail, Theni